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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2247 OF 2006

Shri Sukumaran s/o. Muthu Ganapthi ... Petitioner

Vs.

State of Maharashtra & Ors. ... Respondents

Mr. J.C. Chandnani for the petitioner.

Ms. P.H. Kantharia, A.P.P. for the State.

Ms. Mallika Ingale for respondent 6.

**CORAM : SMT. RANJANA DESAI & ANOOP V. MOHTA, JJ.**

**DATED : 8TH JANUARY, 2007.**

**P.C.:**-

1. Respondent 6 has been served. Ms. Ingale undertakes that she will file Vakalatnama on behalf of respondent 6 within a week.

2. Heard Mr. Chandnani, the learned counsel for the petitioner, Ms. Kantharia, the learned A.P.P. for respondents 1 to 5 and Ms. Ingale, the learned counsel for respondent 6.

3. The petitioner's grievance, inter alia, is that respondent 6 is running a Video Game Parlour viz. Om Sai Video Game Parlour, illegally and without any licence. The learned counsel for respondent 6 states that the Om Sai Video Game Parlour has been closed down by its owner since 23/10/2006.

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The learned counsel for the petitioner states that the Om Sai Video Game Parlour has been closed down after filing of the petition. He states that the petitioner was informed that the Om Sai Video Game Parlour was closed down in September, 2006. He further states that this information is incorrect in view of the statement made in the court by the learned counsel for respondent 6. The learned A.P.P. on instructions from P.S.I. Khanadale B.S., Kandivali Police Station, who is present in the court confirms that the Om Sai Video Game Parlour has been closed down by its owner. She further states that an offence has been registered against respondent 6 at Kandivali Police Station. A report dated 8/1/2007 submitted by the Senior Inspector of Kandivali Police Station is taken on record and marked "X". In view of this, in our opinion, it is not necessary to entertain the present petition.

4. All contentions of both sides are kept open.

5. Needless to say that respondents 1 to 5 shall not allow respondent 6 to run the Video Game Parlour without licence and without complying with the necessary conditions.

6. The petition is dismissed as infructuous.

[SMT. RANJANA DESAI, J.]

[ANOOP V. MOHTA, J.]